

REMARKS/ARGUMENTS

Status of Claims

Claims 1-39 were filed in the current application, and they have been subjected to a restriction requirement. Claims as outlined above, Claims 25-39 stand withdrawn from consideration as drawn to a non-elected invention. Therefore, Claims 1-39 are pending in this application, however, only Claims 1-24 are currently under consideration.

Restriction Requirement

The Office has required restriction to one of the following groups of claims:

Group I: Claims 1-12 and 14-24, drawn to a tampon and method of making, classified in Class 604, subclass 904; and

Group II: Claims 25-39, drawn to a tampon and method of forming a plurality of tampons, classified in Class 156, subclass 202.

The Office Action indicates that Groups I and II are unrelated. It alleges that the different inventions are not capable of use together and have different process steps that result in a different mode of operation and effects. Applicants hereby elect Group I, with traverse and respectfully requests reconsideration of the Restriction Requirement.

Applicants submits that the claims in the groups are related, and complete examination cannot be made of either group of claims without searching and considering the art in the other group's classification. Therefore, Applicants submits that it would be more efficient to search and examine both claim groupings together. That being the case, Applicants submits that it would be more burdensome upon him to have to prosecute two separate applications for the identified claims than it would be for the Patent Office to examine the two groups together. Reconsideration and withdrawal of the restriction requirement is hereby respectfully requested.

In addition, Applicants note that Claim 13 was not included in either Group, and they request clarification of its status.

Applicants believe that the foregoing presents a full and complete response to the outstanding Office Action. Applicants look forward to an early notice of allowance for this application.

Respectfully submitted,

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